

PROCEEDINGS OF THE COMMON COUNCIL
IN REGULAR SESSION
TUESDAY, SEPTEMBER 11 1984

CITY OF FORT WAYNE, INDIANA
JOURNAL OF THE PROCEEDINGS
OF THE COMMON COUNCIL

THE COMMON COUNCIL OF THE CITY OF FORT WAYNE MET IN THE
COUNCIL CHAMBERS Tuesday EVENING September 11 A.D., 19 84,
IN Regular SESSION. PRESIDENT Ben A. Eisbart
IN THE CHAIR, COUNCIL ATTORNEY Stanley A. Levine, AND
Sandra E. Kennedy CLERK, AT THE DESK, PRESENT THE FOLLOWING
MEMBERS VIZ:

BRADBURY P, BURNS P, EISBART P,
 GiaQUINTA P, HENRY P, REDD P,
 SCHMIDT , STIER , TALARICO P

ABSENT: _____

COUNCILMAN: _____, _____, _____,

THE INVOCATION WAS GIVEN BY _____

THE MINUTES OF THE LAST REGULAR August 28, 1984,

_____, 19____,

SPECIAL _____, 19____,

SESSION HAVING BEEN DELIVERED TO THE COUNCIL, WERE, ON MOTION, APPROVED AND PUBLISHED.



The City of Fort Wayne

DIVISION OF LAND USE MANAGEMENT
Department of Community Development & Planning

29 August 1984

COMMUNICATIONS FROM THE CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Bradbury:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the amendment of the Zoning Ordinance (General Ordinance No. G-06-80, amending Chapter 33 of the Municipal Code of the City of Fort Wayne, Indiana, 1946). The proposed ordinance is designated as:

BILL NO. Z-84-08-14

Respectfully submitted,

CITY PLAN COMMISSION

Melvin O. Smith
Secretary

Certified and signed this
29th day of August 1984.

Division of Community Development & Planning

BRIEF TITLE

Zoning Ordinance Amendment

APPROVAL DEADLINE

None

REASON

DETAILS

Specific Location and/or Address 1815 Taylor Street
Reason for Project WITHDRAWN at the request of petitioner.
Discussion (Including relationship to other Council actions)

POSITIONS

RECOMMENDATIONS

Sponsor	City Plan Commission
Area Affected	City Wide Other Areas
Applicants/ Proponents	Applicant(s) Clyde Campbell City Department Other
Opponents	Groups or Individuals Basis of Opposition
Staff Recommendation	<input type="checkbox"/> For <input type="checkbox"/> Against Reason Against
Board or Commission Recommendation	By <input type="checkbox"/> For <input type="checkbox"/> Against <input type="checkbox"/> No Action Taken <input type="checkbox"/> For with revisions to conditions (See Details column for conditions)
CITY COUNCIL ACTIONS (For Council use only)	<input type="checkbox"/> Pass <input type="checkbox"/> Other <input type="checkbox"/> Pass (as amended) <input type="checkbox"/> Hold <input type="checkbox"/> Council Sub. <input type="checkbox"/> Do not pass

DETAILS

POLICY/ PROGRAM IMPACT

Policy or
Program
Change

☐ No

☐ Yes

Operational
Impact
Assessment

(This space for further discussion)

Project Start

Date June 27, 1984

Projected Completion or Occupancy

Date August 29, 1984

Fact Sheet Prepared by

Date August 29, 1984

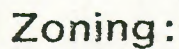
Patricia Biancaniello
Reviewed by

Date

Reference or Case Number

A PETITION TO AMEND THE ZONING MAP BY RECLASSIFYING DESCRIBED PROPERTY FROM A B1B DISTRICT TO A B3B DISTRICT.

COUNCILMANIC DISTRICT NO. 4



Land Use:

- Z-84-08-14

Date: 6-29-84

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on August 14, 1984, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-84-08-14; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

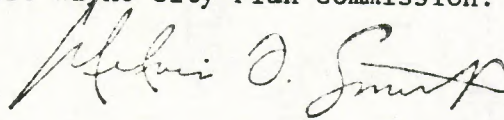
WHEREAS, the City Plan Commission does hereby recommend that such proposed ordinance be withdrawn in accordance with the request of the petitioner;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance be withdrawn.

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Comon Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted by the Fort Wayne City Plan Commission.

Certified and signed this
29th day of August 1984.



Melvin O. Smith
Secretary



The City of Fort Wayne
DIVISION OF LAND USE MANAGEMENT
Department of Community Development & Planning

29 August 1984

COMMUNICATIONS FROM THE CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Bradbury:

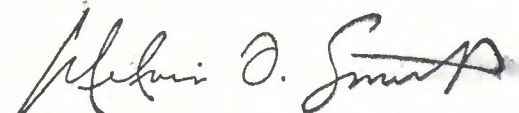
Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the amendment of the Zoning Ordinance (General Ordinance No. G-06-80, amending Chapter 33 of the Municipal Code of the City of Fort Wayne, Indiana, 1946). The proposed ordinance is designated as:

BILL NO. Z-84-08-15

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this
29th day of August 1984.


Melvin O. Smith
Secretary

FACT SHEET

Z-84-08-15

BILL NUMBER

Division of Community Development & Planning

BRIEF TITLE

Zoning Ordinance Amendment

APPROVAL DEADLINE

None

REASON

DETAILS

Specific Location and/or Address

3431 E. State Blvd.

Reason for Project

WITHDRAWN at the request of the petitioner.

Discussion (Including relationship to other Council actions)

POSITIONS

Sponsor

Area Affected

Applicants/
Proponents

Opponents

Staff
RecommendationBoard or
Commission
RecommendationCITY COUNCIL
ACTIONS
(For Council
use only)

RECOMMENDATIONS

City Plan Commission

City Wide

Other Areas

Applicant(s)
Elaine Lengacher
City Department

Other

Groups or Individuals

Basis of Opposition

☐ For ☐ Against

Reason Against

By

☐ For ☐ Against
☐ No Action Taken☐ For with revisions to conditions
(See Details column for conditions)☐ Pass ☐ Other☐ Pass (as
amended) ☐ Hold☐ Council Sub. ☐ Do not pass

DETAILS**POLICY/ PROGRAM IMPACT****Policy or
Program
Change**☐

No

☐

Yes

**Operational
Impact
Assessment**

(This space for further discussion)

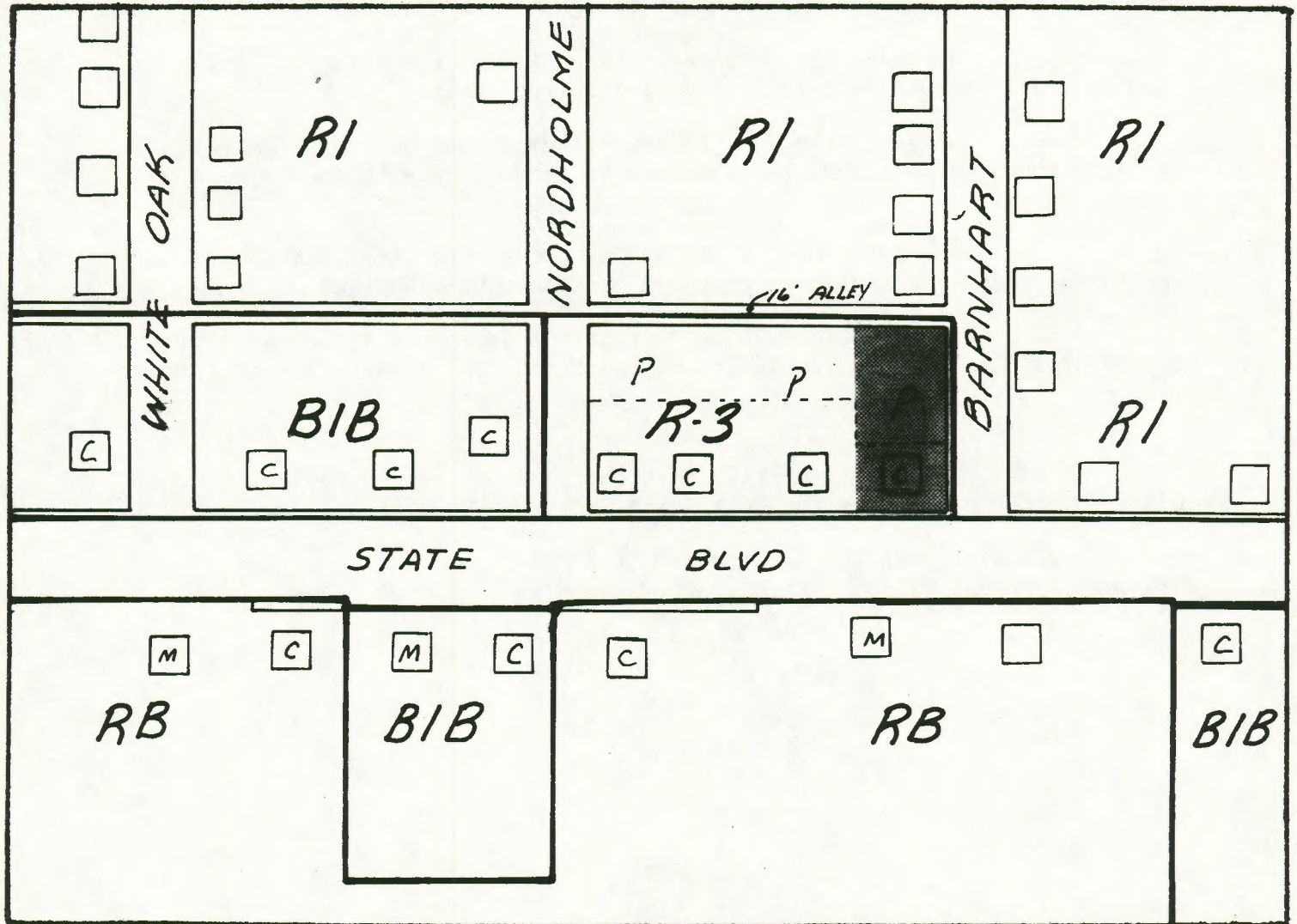
Project Start**Date** July 16, 1984**Projected Completion or Occupancy****Date** August 29, 1984**Fact Sheet Prepared by**
Patricia Biancaniello**Date** August 29, 1984**Reviewed by****Date****Reference or Case Number**

ZONING PETITION - 82

A PETITION TO AMEND THE ZONING MAP BY
RECLASSIFYING DESCRIBED PROPERTY FROM AN R-3
DISTRICT TO A BIA DISTRICT.

MAP NO. R-18

COUNCILMANIC DISTRICT NO. 2



Zoning:

RB RESIDENTIAL DISTRICT
R-1 RESIDENTIAL DISTRICT
R-3 RESIDENTIAL DISTRICT
BIB BUSINESS DISTRICT

Land Use:

☐ SINGLE FAMILY
☐ MULTIPLE FAMILY
☐ COMMERCIAL
☐ PARKING LOT

Z-84-08-15

Scale: 1"=135'

Date: 7-24-84



RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on August 14, 1984, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-84-08-15; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

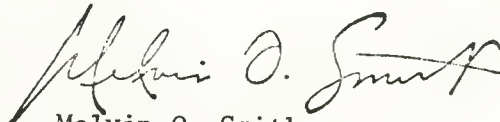
WHEREAS, the City Plan Commission does hereby recommend that such proposed ordinance be withdrawn in accordance with the request of the petitioner;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance be withdrawn.

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Comon Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted by the Fort Wayne City Plan Commission.

Certified and signed this
29th day of August 1984.

A handwritten signature in dark ink, appearing to read 'Melvin O. Smith', is written over a horizontal line.

Melvin O. Smith
Secretary



The City of Fort Wayne

DIVISION OF LAND USE MANAGEMENT
Department of Community Development & Planning

29 August 1984

COMMUNICATIONS FROM THE CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Bradbury:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the amendment of the Zoning Ordinance (General Ordinance No. G-06-80, amending Chapter 33 of the Municipal Code of the City of Fort Wayne, Indiana, 1946). The proposed ordinance is designated as:

BILL NO. Z-84-08-12

Respectfully submitted,

CITY PLAN COMMISSION

Melvin O. Smith
Secretary

Certified and signed this
29th day of August 1984.

FACT SHEET

Z-84-08-12

**Division of Community
Development & Planning****BILL NUMBER****BRIEF TITLE**

Zoning Ordinance Amendment

APPROVAL DEADLINE

None

REASON**DETAILS****Specific Location and/or Address**

2698 North Clinton Street

Reason for Project

Expansion of tire accessory store.

Discussion (Including relationship to other Council actions)

Tom Steele petitioner stated that he has run a tire store at 2620 North Clinton for 2 years. He stated when he purchased the property it was a rundown abandoned service station. He stated he now needs more room for expansion. He stated he spoke with the President of Brookview Association and they have no objection to the rezoning. He tried unsuccessfully to reach the President of Irvington Park Association. He stated that he intends to buffer the property at the Clinton Street side with approximately 8 feet of buffering and on the Spy Run side for 15 feet with shrubs and trees.

George Dely, stated that he owned the property. Mr. Steele was trying to rezone. He stated that he was selling the property to Mr. Steele. He stated that Mr. Steele has cleaned up the property and has kept it well maintained.

No opposition.

POSITIONS**RECOMMENDATIONS****Sponsor**

City Plan Commission

Area Affected

City Wide

Other Areas

**Applicants/
Proponents**

Applicant(s)
Tom Steele
City Department

Other

Opponents

Groups or Individuals
None
Basis of Opposition

**Staff
Recommendation**☐ For ☒ Against**Reason Against**

-allow commercial growth in
residential area
- negative effect on area

**Board or
Commission
Recommendation**

By

☒ For ☐ Against
☐ No Action Taken

☐ For with revisions to conditions
(See Details column for conditions)

**CITY COUNCIL
ACTIONS
(For Council
use only)**

☐ Pass ☐ Other
☐ Pass (as amended) ☐ Hold
☐ Council Sub. ☐ Do not pass

DETAILS

August 27, 1984 - Business Meeting

Site Committee recommendation was DO PASS with the following conditions to be placed on the property.

- 1) The location and number of curb cuts must conform to Traffic Engineering requirements.
- 2) The type of landscaping that is shown along the north side of the property shall be approved by the CD&P landscape architect.
- 3) No outside storage.
- 4) All lights are to be adjusted to eliminate glare.

The Commission approved the request as conditioned.

NOTE: Mr. Steele has given the Plan Commission Office a letter of agreement to the above stated conditions.

POLICY/PROGRAM IMPACT

Policy or
Program
Change

☒

No

☐

Yes

Operational
Impact
Assessment

(This space for further discussion)

Project Start

Date June 13, 1984

Projected Completion or Occupancy

Date August 27, 1984

Fact Sheet Prepared by
Patricia Biancaniello

Date August 29, 1984

Reviewed by

Date

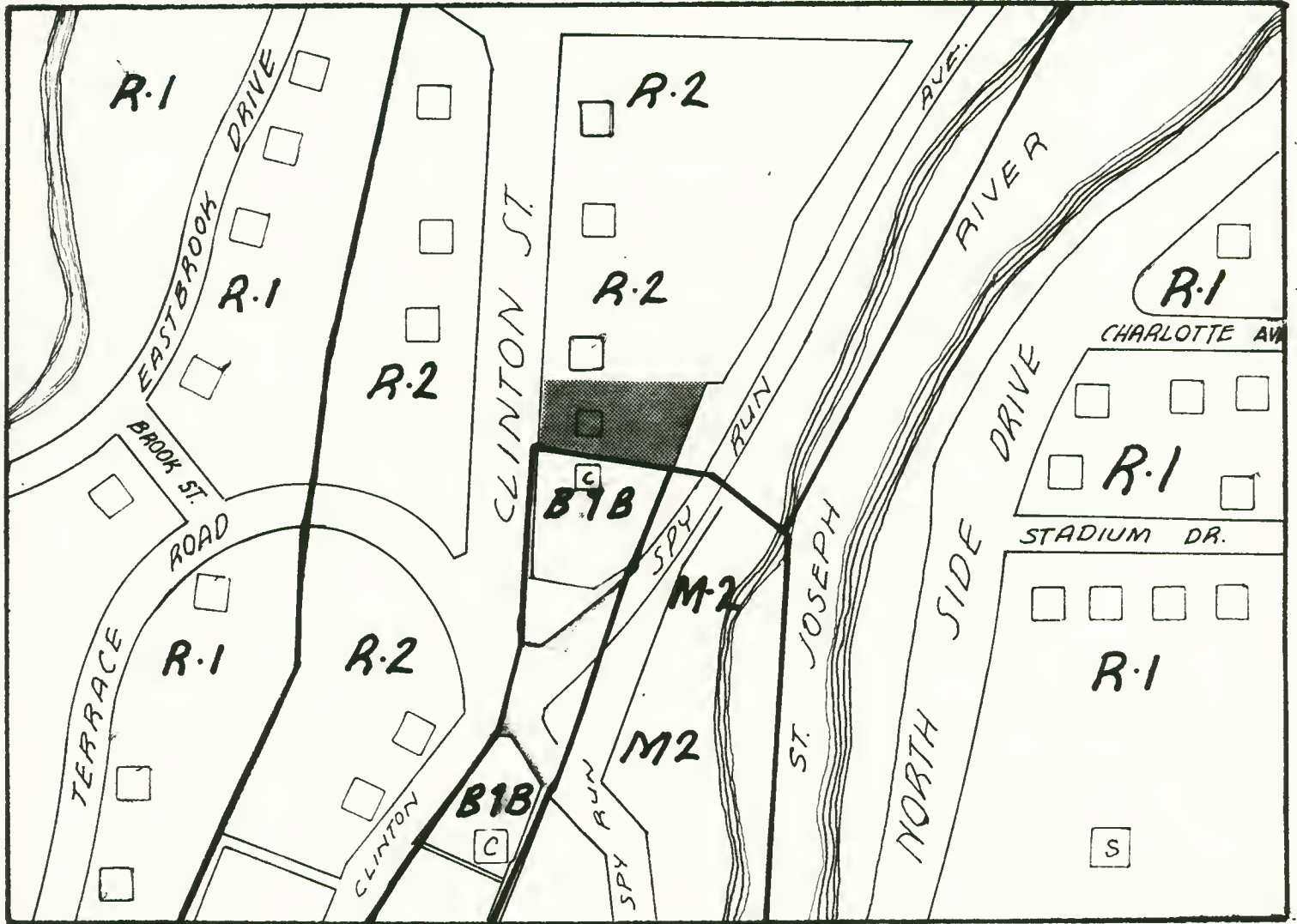
Reference or Case Number

ZONING PETITION -83

A PETITION TO AMEND THE ZONING MAP BY RECLASSIFYING DESCRIBED PROPERTY FROM AN R-2 TO A B1B DISTRICT.

MAP NO. M-18

COUNCILMANIC DISTRICT NO. 3



Zoning:

R-1 RESIDENTIAL DISTRICT
R-2 RESIDENTIAL DISTRICT
M-2 GENERAL INDUSTRY
B1B BUSINESS DISTRICT

Land Use:

□ SINGLE FAMILY
□ COMMERCIAL
□ PUBLIC SCHOOL

2-84-08-12

Scale: 1" = 200'

Date: 7-23-84



RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on August 14, 1984, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-84-08-12; and,

WHEREAS, the require notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on August 20, 1984:

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that this ordinance be returned to the Common Council with a DO PASS recommendation based on the Commission's following "Findings of Fact":

(1) the grant will not be injurious to the public health, safety, morals, and general welfare of the community;

(2) the use or value of the area adjacent to the property included in the rezoning will not be affected in a substantilly adverse manner;

(3) the need for the rezoning arises from some condition peculiar to the property involved and the condition is not due to the general conditions of the neighborhood;

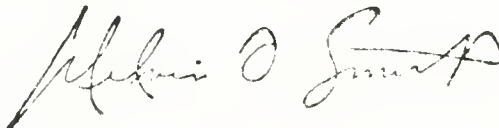
(4) the strict application of the terms of the zoning ordinance will constitute an unusual and unnecessary hardship if applied to the property for which the rezoning is sought; and,

(5) the grant does not interfere substantially with the comprehensive plan adopted under the 500 series of the metropolitan development law.

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held August 27, 1984.

Certified and signed this
29th day of August 1984.



Melvin O. Smith
Secretary



The City of Fort Wayne

DIVISION OF LAND USE MANAGEMENT
Department of Community Development & Planning

29 August 1984

COMMUNICATIONS FROM THE CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Bradbury:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the amendment of the Zoning Ordinance (General Ordinance No. G-06-80, amending Chapter 33 of the Municipal Code of the City of Fort Wayne, Indiana, 1946). The proposed ordinance is designated as:

BILL NO. Z-84-06-20

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this
29th day of August 1984.

Melvin O. Smith
Secretary

Division of Community Development & Planning

BRIEF TITLE

Zoning Ordinance Amendment

APPROVAL DEADLINE

None

REASON

DETAILS

Specific Location and/or Address

0.888 Acres located off of S.R. #3 and adjacent to Ludwig Park Drive

Reason for Project

Multi-Family development.

Discussion (Including relationship to other Council actions)

Phil Troyer, developer stated that he was proposing this project as a buffer between the Ludwig Park neighborhood and the commercial areas that exist on S.R.#3. He stated that the general area has a large commercial project to the north and south. He felt this project would help maintain the residenital structure of the area. He stated this project will contain 12 2-bedroom units with a size of 1,000 sq. ft. each.

Ben Eisbart read a memo from V.C. Seth, Director of Planning regarding a phone call from Mr. Russell Thompson, president of the Ludwig Park Association. He stated that the Ludwig Park Association was opposed to any change of zone that would permit any multiple family construction.

Marion Bedree, 1509 W. Ludwig Road stated she di not want any two-story buildings adjacent to her property. She felt it would be an invasion of her privacy.

No other opposition.

POSITIONS

RECOMMENDATIONS

Sponsor

City Plan Commission

Area Affected

City Wide

Other Areas

Applicants/
Proponents

Applicant(s) Philip Troyer,
Development Design, Inc.

City Department

Other

Opponents

Groups or Individuals

Russell Thompson
Marion Bedree

Basis of Opposition

- did not want multi-family development in area
- disliked height of bldgs.

Staff
Recommendation

☐ For ☒ Against

Reason Against

- not compatible with area
- constitute spot zoning
- would open area for other similar requests

Board or
Commission
Recommendation

By

☒ For ☐ Against
☐ No Action Taken

☐ For with revisions to conditions
(See Details column for conditions)

CITY COUNCIL
ACTIONS
(For Council
use only)

☐ Pass ☐ Other
☐ Pass (as amended) ☐ Hold
☐ Council Sub. ☐ Do not pass

DETAILS

June 25, 1984 - Business Meeting

Site Committee recommend a deferral for one month in order for the developer to modify its plans with regard to reducing density, lower building heights, retain & provide dense vegetation to to protect existing & future residences.

July 23, 1984 - Business Meeting

Project was once again deferred until the plans could be further modified.

August 20, 1984 - Business Meeting

The following memo from V.C. Seth was acted upon.

"On August 16, 1984, I visited with Mr. Thompson President of Ludwig Park Community Association to discuss the revised plan and layout of the development.

Based upon the reduced number of dwelling units to ten (10); decreased number of parking spaces to provide additional landscaping on the east lot line; and lowering of building heights both on the east and west ends of the buildings the Ludwig Park Association has withdrawn any objection to this project by Mr. Troyer."

Based upon this recommendation the rezoning was approved. The conditions stated above will be incorporated into the development plan approval.

POLICY/PROGRAM IMPACT

Policy or Program Change	<input checked="checked" type="checkbox"/> No <input type="checkbox"/> Yes
Operational Impact Assessment	

(This space for further discussion)

Project Start **Date** May 21, 1984

Projected Completion or Occupancy **Date** August 27, 1984

Fact Sheet Prepared by **Date** August 29, 1984
Patricia Biancaniello

Reviewed by **Date**

Reference or Case Number

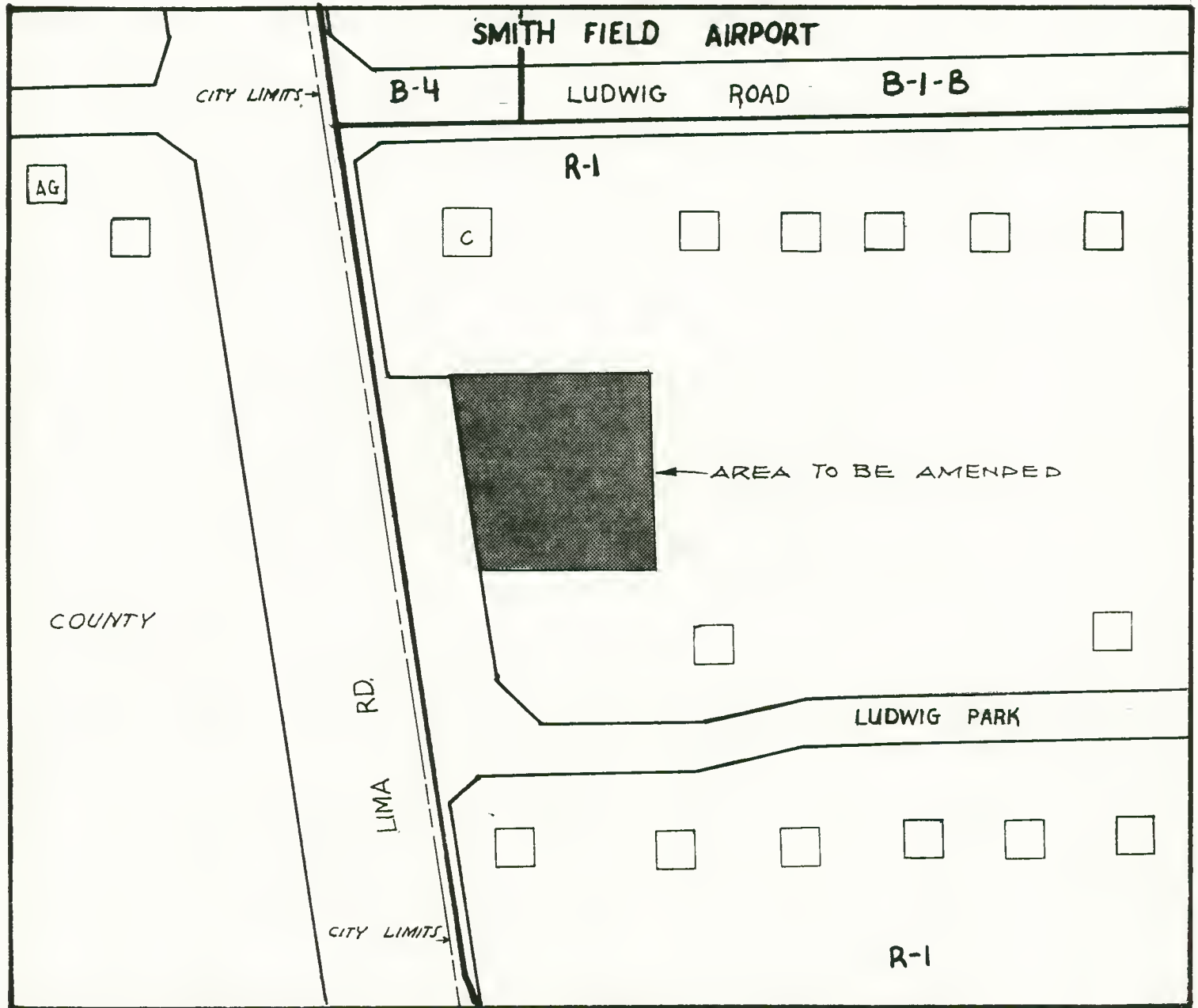
ZONING PETITION

NO. 0-76

A PETITION TO AMEND THE ZONING MAP BY RECLASSIFYING THE DESCRIBED PROPERTY FROM AN R-1 DISTRICT TO AN R-A DISTRICT.

Zoning Map No. K-38

COUNCILMANIC DISTRICT NO. 3



ZONING:

R-1 RESIDENTIAL DISTRICT

B-1-B BUSINESS DISTRICT

B-4 BUSINESS DISTRICT

LAND USE:

☐ SINGLE FAMILY

☐ C COMMERCIAL

☐ AG AGRICULTURE



NORTH

SCALE: 1" = 137'

7-84-06-20

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on June 26, 1984, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-84-06-20; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on June 26, 1984;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that this ordinance be returned to the Common Council with a DO PASS recommendation based on the Commission's following "Findings of Fact":

(1) the grant will not be injurious to the public health, safety, morals, and general welfare of the community;

(2) the use or value of the area adjacent to the property included in the rezoning will not be affected in a substantially adverse manner;

(3) the need for the rezoning arises from some condition peculiar to the property involved and the condition is not due to the general conditions of the neighborhood;

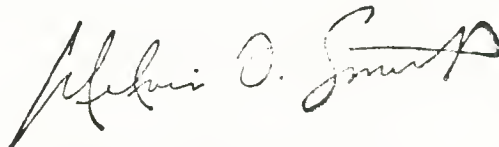
(4) the strict application of the terms of the zoning ordinance will constitute an unusual and unnecessary hardship if applied to the property for which the rezoning is sought; and,

(5) the grant does not interfere substantially with the comprehensive plan adopted under the 500 series of the metropolitan development law.

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held August 27, 1984.

Certified and signed this
29th day of August 1984.



Melvin O. Smith
Secretary



The City of Fort Wayne
DIVISION OF LAND USE MANAGEMENT
Department of Community Development & Planning

29 August 1984

COMMUNICATIONS FROM THE CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Bradbury:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the amendment of the Zoning Ordinance (General Ordinance No. G-06-80, amending Chapter 33 of the Municipal Code of the City of Fort Wayne, Indiana, 1946). The proposed ordinance is designated as:

BILL NO. Z-84-08-16

Respectfull submitted,

CITY PLAN COMMISSION

Melvin O. Smith
Secretary

Certified and signed this
29th day of August 1984.

FACT SHEET

Z-84-08-16

BILL NUMBER

**Division of Community
Development & Planning****BRIEF TITLE**

Zoning Ordinance Amendment

APPROVAL DEADLINE

None

REASON**DETAILS****Specific Location and/or Address**Riverside Elementary School,
1025 Vance Avenue**Reason for Project**Convert vacant school into professional
offices.**Discussion (Including relationship to other Council actions)**

Joe Christoff, attorney for the petitioner Zohrab Tazian stated that his client wished to convert the vacant school into professional offices.

(The POD request was being done at the request of the neighborhood who opposed the original request of R-3, with a variance for office uses.)

Ray Racine, Northside Neighborhood Assn., stated that they were not opposing the request but that they would like to restrict the property from being used as a Medical Clinic or for Day Care facilities.

No opposition.

August 27, 1984 - Business Meeting

Site Committee recommended DO PASS with the following conditions:

- 1) No medical offices be allowed.
- 2) 50 foot landscape buffer along Ferguson Avenue.
- 3) Access onto Kentucky Avenue is to be determined by Traffic Engineering.

POSITIONS**RECOMMENDATIONS****Sponsor**

City Plan Commission

Area Affected

City Wide

Other Areas

**Applicants/
Proponents****Applicant(s)**Zohrab Tazian
City Department

Other

Opponents**Groups or Individuals**

None

Basis of Opposition**Staff
Recommendation**☒ For☐ Against

Reason Against

**Board or
Commission
Recommendation**

By

☒ For☐ Against☐ No Action Taken☐ For with revisions to conditions
(See Details column for conditions)**CITY COUNCIL
ACTIONS
(For Council
use only)**☐ Pass☐ Other☐ Pass (as
amended)☐ Hold☐ Council Sub.☐ Do not pass

DETAILS

The Commission approved the request as conditioned.

NOTE: The conditions will be met when the development plans are brought into the Commission for final approval.

POLICY/PROGRAM IMPACT

Policy or
Program
Change

☒

No

☐

Yes

Operational
Impact
Assessment

(This space for further discussion)

Project Start

Date July 17, 1984

Projected Completion or Occupancy

Date August 27, 1984

Fact Sheet Prepared by

Date August 29, 1984

Patricia Biancaniello

Reviewed by

Date

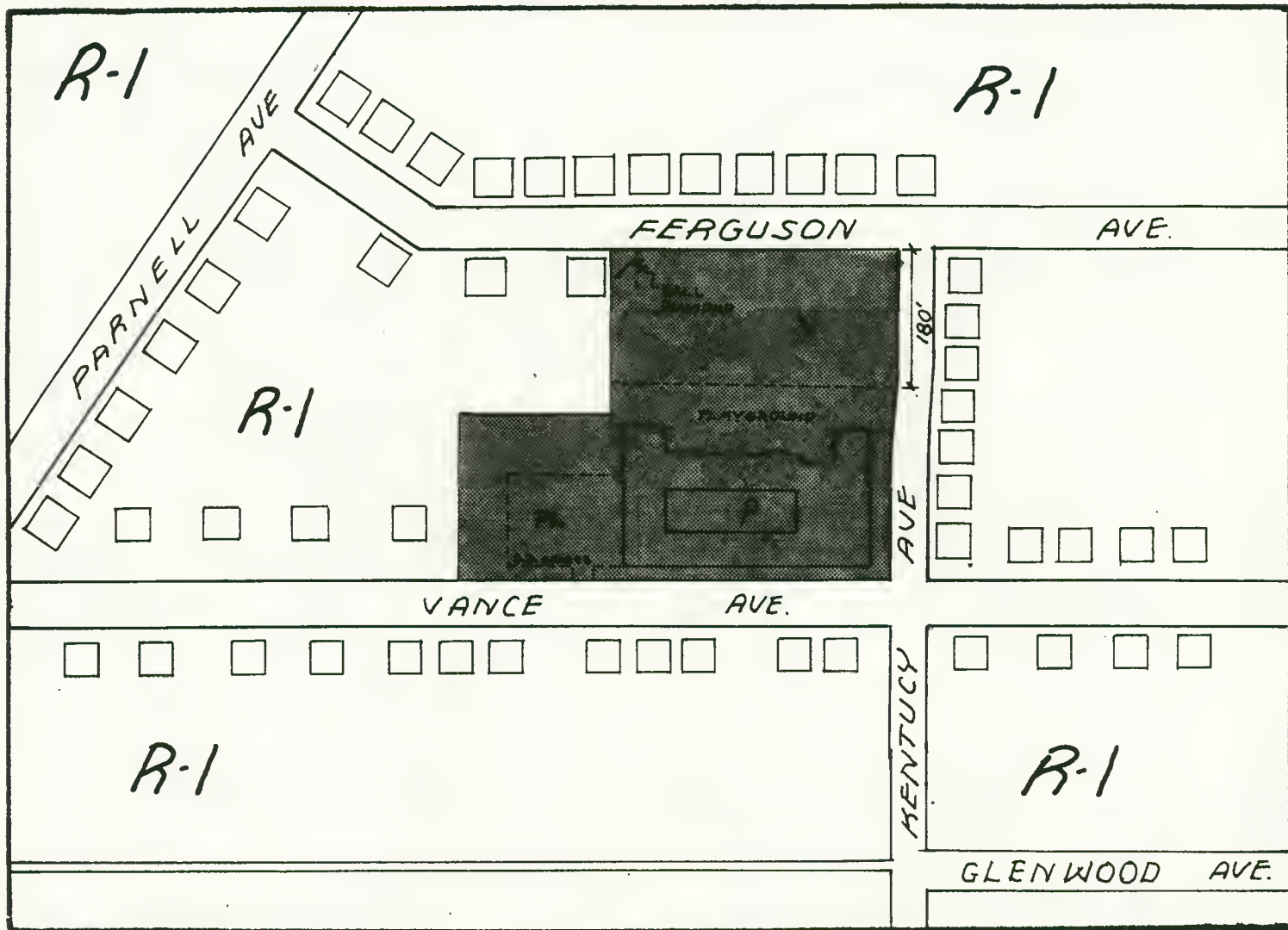
Reference or Case Number

ZONING PETITION -86

A PETITION TO AMEND THE ZONING MAP BY RECLASSIFYING DESCRIBED PROPERTY FROM AN R-1 DISTRICT TO A P.O.D.

MAP NO. N-22

COUNCILMANIC DISTRICT NO. 2



ZONING:

R-1 RESIDENTIAL DISTRICT

LAND USE:

- ☐ SINGLE FAMILY
- ☐ P PUBLIC INSTITUTIONAL (SCHOOL)
- ☐ PL PARKING LOT

Z-84-08-16

SCALE: 1"=200'

6 - 20 - 84



RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana on August 14, 1984, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-84-08-16; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on August 20, 1984;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that this ordinance be returned to the Common Council with a DO PASS recommendation based on the Commission's following "Finding of Facts":

(1) the grant will not be injurious to the public health, safety, morals, and general welfare of the community;

(2) the use or value of the area adjacent to the property included in the rezoning will not be affected in a substantially adverse manner;

(3) the need for the rezoning arises from some conditions peculiar to the property involved and the condition is not due to the general conditions of the neighborhood;

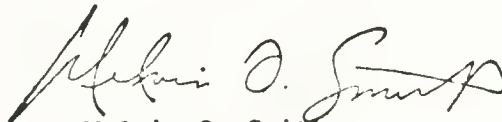
(4) the strict application of the terms of the zoning ordinance will constitute an unusual and unnecessary hardship if applied to the property for which the rezoning is sought; and,

(5) the grant does not interfere substantially with the comprehensive plan adopted under the 500 series of the metropolitan development law.

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held August 27, 1984.

Certified and signed this
29th day of August 1984.


Melvin O. Smith
Secretary



The City of Fort Wayne

DIVISION OF LAND USE MANAGEMENT
Department of Community Development & Planning

30 August 1984

COMMUNICATIONS FROM THE CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Bradbury:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the amendment of the Zoning Ordinance (General Ordinance No. G-06-80, amending Chapter 33 of the Municipal Code of the City of Fort Wayne, Indiana, 1946). The proposed ordinance is designated as:

BILL NO. Z-84-08-11

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this
30th day of August 1984.

Melvin O. Smith
Secretary

FACT SHEET

Z-84-08-11

BILL NUMBER

Division of Community Development & Planning

BRIEF TITLE

Zoning Ordinance Amendment

APPROVAL DEADLINE

None

REASON

DETAILS

Specific Location and/or Address

Northeast corner of Lafayette & Taber.

Reason for Project

Construct a garage for auto repair.

Discussion (Including relationship to other Council actions)

Prince Chapman, petitioner stated that he intended to construct an auto repair garage on this property if it were rezoned. He stated that there are several businesses up and down Lafayette in this area. He stated that the property faces the rear of the park and there is nothing on this side of the park but overgrown brush and trees. He stated that the access to the property would be from Taber and not Lafayette. He stated that he would install a buffer if required, but the closest house to this property was on Taber.

Ben Eisbart made a part of the record a letter from the LaRez Neighborhood Assn., stating that 77% of approximately 15 people present at a meeting were in favor of the rezoning. He also made a part of the record a remonstrance with some 50 households signing.

Daniel Black, 303 E. Creighton, appeared in opposition. He stated that they want to keep this neighborhood residential and even intend to try and downzone the neighborhood from R-3 to R-2. He stated that this rezoning would be out of character with the area.

POSITIONS

RECOMMENDATIONS

Sponsor

City Plan Commission

Area Affected

City Wide

Other Areas

Applicants/ Proponents

Applicant(s)

Prince Chapman

City Department

Other

Opponents

Groups or Individuals

Daniel Black, LaRez Assn.
Art Amt, Richard Brames,
Jacky Koenig

Basis of Opposition

- not compatible; detriment
to area; dangerous to
children in area

Staff Recommendation

☐ For

☒ Against

Reason Against

- incompatible with area;
- negative effect on area;
- set a precedent for similar

Board or Commission Recommendation

By

☐ For

☒ Against

☐ No Action Taken

☐ For with revisions to conditions
(See Details column for condition

CITY COUNCIL ACTIONS (For Council use only)

☐ Pass

☐ Other

☐ Pass (as
amended)

☐ Hold

☐ Council Sub.

☐ Do not pas

DETAILS

Richard Brames, 2824 Dodge, appeared in opposition. He stated that there were already areas zoned for business along Lafayette that would accommodate this type of business and that this rezoning was unnecessary.

Art Amt, 2519 S. Lafayette appeared in opposition. Mr. Amt stated he has lived in the area for 25 years and it is now starting to revitalize into a residential area. He stated that this would be a setback to the residential area.

Jacky Koenig, 217 E. Creighton appeared in opposition. She stated that she was fearful for the children in the area with cars sitting around waiting to be repaired. She felt they would be attractive to play in and someone could be hurt.

Mr. Chapman stated that he would fence the property not only to protect the area children, but also to prevent vandalism.

No other opposition.

August 27, 1984 - Business Meeting

The Site Committee recommended Denial of the request stated that it was incompatible with the land use, would have a negative effect on existing neighborhood park and constituted spot zoning.

Motion to deny carried.

POLICY/PROGRAM IMPACT

Policy or Program Change	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes
Operational Impact Assessment	

(This space for further discussion)

Project Start

Date July 5, 1984

Projected Completion or Occupancy

Date August 27, 1984

Fact Sheet Prepared by

Date August 30, 1984

Patricia Biancaniello

Reviewed by

Date

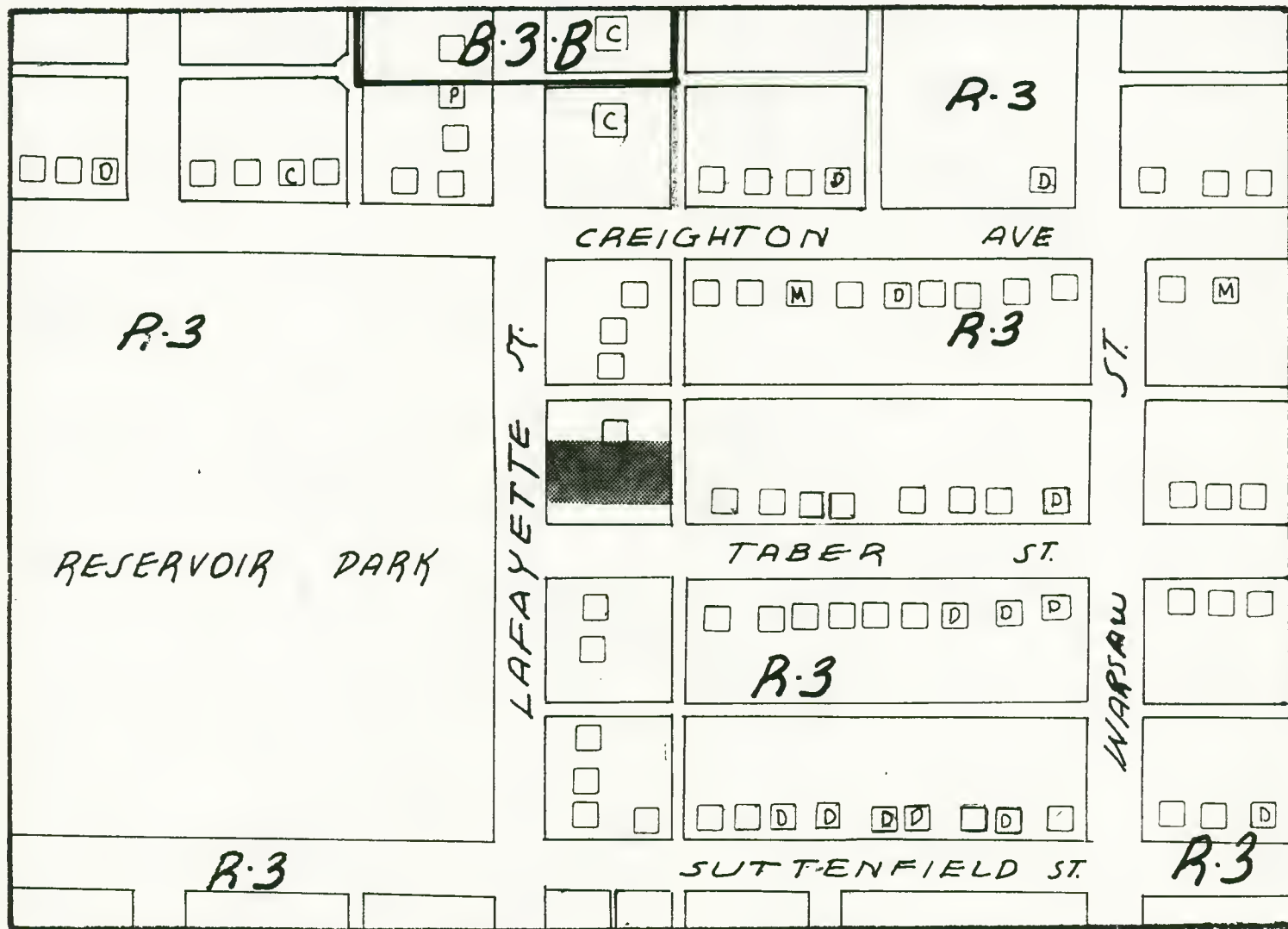
Reference or Case Number

ZONING PETITION - 85

A PETITION TO AMEND THE ZONING MAP BY RECLASSIFYING DESCRIBED PROPERTY FROM AN R-3 TO A B-3-B DISTRICT.

MAP NO. N-3

COUNCILMANIC DISTRICT NO. 1



Zoning:

R-3 RESIDENTIAL DISTRICT
B-3B BUSINESS DISTRICT

Land Use:

☐ SINGLE FAMILY
☐ DUPLEX
☐ MULTIPLE FAMILY
☐ COMMERCIAL

Z-84-08-11

Scale: 1" = 200'

Date: 7-16-84



RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on August 14, 1984, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-84-08-11; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on August 20, 1984;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that this ordinance be returned to the Common Council with a DO NOT PASS recommendation based on the Commission's following "Findings of Fact":

(1) the grant will be injurious to the public health, safety, morals, and general welfare of the community;

(2) the use of value of the area adjacent to the property included in the rezoning will be affected in a substantially adverse manner;

(3) the need for the rezoning does not arise from conditions peculiar to the property involved and the condition is not due to the general conditions of the neighborhood;

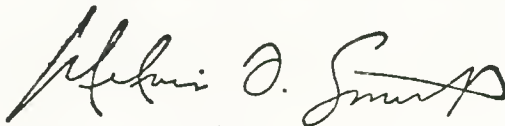
(4) the strict application of the terms of the zoning ordinance will not constitute an unusual and unnecessary hardship to this property;

(5) the grant interferes substantially with the comprehensive plan adopted under the 500 series of the metropolitan development law; and,

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held August 27, 1984.

Certified and signed this
30th day of August 1984.



Melvin O. Smith
Secretary



The City of Fort Wayne

DIVISION OF LAND USE MANAGEMENT
Department of Community Development & Planning

29 August 1984

COMMUNICATIONS FROM THE CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Bradbury:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the vacation of dedicated right-of-way.

The proposed ordinance is designated as:

Bill No. G-84-08-08

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this
29th day of August 1984.

Melvin O. Smith
Secretary



The City of Fort Wayne

DIVISION OF LAND USE MANAGEMENT
Department of Community Development & Planning

4 September 1984

COMMUNICATIONS FROM THE CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Bradbury:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the vacation of a dedicated plat.

The proposed ordinance is designated as:

BILL NO. G-84-08-10

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this
4th day of September 1984.

Melvin O. Smith
Secretary

President of the Common Council
City of Fort Wayne, Indiana

Gentlemen and Mrs. Bradbury:

Attached herewith are authenticated copies of the Board of
Public Safety Regulatory Resolution Number: 101/84/E
102/84/E

For the purpose of enforcement, please make this communication
and the attached Regulatory Resolution a matter of record and
incorporate it into the minutes of the next Common Council
Meeting.

Respectfully submitted,

A handwritten signature in cursive script that reads "Nick Palermo".

Nick Palermo, Chairman
Board of Public Safety

R E T U R N C E R T I F I C A T E

(Regulatory Resolution No. 101/84/E
102/84/E)

I hereby certify that I did this 4th day of
September, 1984 deliver to each, the City Traffic
Engineer, the Chief of Police, the City Attorney, the City
Clerk and the President of the Common Council of the City
of Fort Wayne, Indiana respectively, a copy of the within
Regulatory Resolution No. 101/84/E of the Board of Public
102/84/E
Safety of the City of Fort Wayne, duly certified by me as
Chairman of said Board, in accordance with the provisions
of Section 17-4 of Chapter 17, of the Code of the City of
Fort Wayne, Indiana 1974.


CHAIRMAN, Board of Public Safety

REGULATORY RESOLUTION NO. 101/84/E

(Adopted September 4, 1984)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to NO PARKING (EMERGENCY)

_____: AND,

WHEREAS, the City Traffic Engineer has, by written memorandum dated August 31, 1984, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective

September 4, 1984, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

NO PARKING (EMERGENCY)

Creighton Avenue -- south side -- from Euclid Avenue to the first alley east thereof

REGULATORY RESOLUTION NO. 102/84/E

(Adopted September 4, 1984)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to 90 MINUTE PARKING 8 A.M. to 6 P.M. (EMERGENCY) and

DELETE: 90 MINUTE PARKING 8 A.M. to 6 P.M. (EMERGENCY)

_____: AND,

WHEREAS, the City Traffic Engineer has, by written memorandum dated August 31, 1984, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective

September 4, 1984, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

90 MINUTE PARKING 8 A.M. to 6 P.M. (EMERGENCY)

Wells Street -- east side -- from 85' north of Superior St. to 60' south of Wood Avenue

DELETE: 90 MINUTE PARKING 8 A.M. to 6 P.M. (EMERGENCY)

Wells Street -- east side -- from 85' north of Superior St. to Wood Ave.

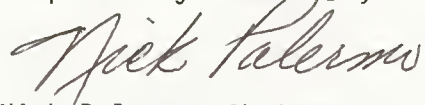
President of the Common Council
City of Fort Wayne, Indiana

Gentlemen and Mrs. Bradbury:

Attached herewith are authenticated copies of the Board of
Public Safety Regulatory Resolution Numbers: 103/84/E
104/84/D

For the purpose of enforcement, please make this communication
and the attached Regulatory Resolution a matter of record and
incorporate them into the minutes of the next Common Council
Meeting.

Respectfully submitted,

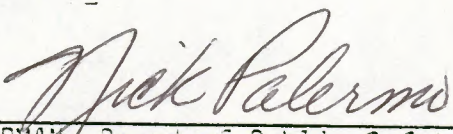
A handwritten signature in dark ink, appearing to read "Nick Palermo". The signature is fluid and cursive, with the first name "Nick" and last name "Palermo" clearly distinguishable.

Nick Palermo, Chairman
Board of Public Safety

R E T U R N C E R T I F I C A T E

(Regulatory Resolution No. 103/84/E
104/84/D)

I hereby certify that I did this 11th day of
September, 1984 deliver to each, the City Traffic
Engineer, the Chief of Police, the City Attorney, the City
Clerk and the President of the Common Council of the City
of Fort Wayne, Indiana respectively, a copy of the within
Regulatory Resolution No. 103/84/E of the Board of Public
104/84/D
Safety of the City of Fort Wayne, duly certified by me as
Chairman of said Board, in accordance with the provisions
of Section 17-4 of Chapter 17, of the Code of the City of
Fort Wayne, Indiana 1974.



CHAIRMAN, Board of Public Safety

(Adopted September 10, 1984)

(EMERGENCY)

: AND,

WHEREAS, the City Traffic Engineer has, by written memorandum dated September 7, 1984, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective

September 10, 19 84, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

DELETE:

2 HOUR PARKING 8:00 A.M. to 6:00 P.M. (EMERGENCY)

Sixth St. -- both sides -- from Harrison St. to Cass St.

REGULATORY RESOLUTION NO. 104/84/D

(Adopted September 10, 1984)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make regulations to carry out its delegated authority thereunder; and,

WHEREAS, Section 17-87 of said chapter delegates to this Board authority to NO PARKING (DELEGATED)

_____ ; and,

WHEREAS, the City Traffic Engineer has, by written memorandum dated September 6, 19 84, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the office of this Board:

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA

That, pursuant to the authority delegated to this Board by Section 17-87 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974, it is hereby ordered, effective

September 10, 19 84, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

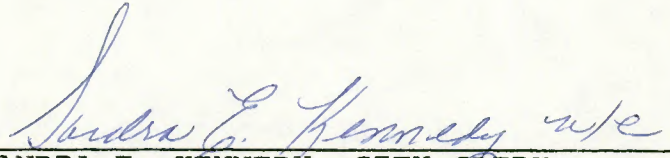
<u>NO PARKING</u>	<u>(DELEGATED)</u>
Billington Place -- east side	-- from Werling Dr. to 45' north thereof
Billington Place -- south side	-- from 290' north of Werling Dr. to 35' east thereof
Maverick Place -- south side	-- from Queen St. to 60' east thereof
Maverick Place -- west side	-- from 245' east of Queen St. to 45' north thereof
Queen St. -- west side	-- from 100' south of McKinnie Ave. to 30' south thereof
Queen St. -- west side	-- from 263' south of McKinnie Ave. to 63' south thereof
Queen St. -- west side	-- from Werling Dr. to 75' north thereof
Travers Place -- north side	-- from Queen St. to 70' east thereof
Travers Place -- west side	-- from 270' east of Queen St. to 33' north thereof
Werling Dr. -- north side	-- from Willoughby Place to 75' west thereof
Werling Dr. -- north side	-- from Willoughby Place to 45' east thereof
Werling Dr. -- north side	-- from 155' east of Billington place to 45' east thereof
Willoughby Place -- south side	-- from 280' north of Werling Dr. to 50' west thereof

THE COUNCIL THEN ADJOURNED.

CERTIFICATE

I hereby certify that I am the duly elected, acting and incumbent City Clerk of Fort Wayne, Indiana and as such the custodian of the records of the Common Council of said City and that the above and foregoing is the true, full and complete record of the proceedings of the Common Council of the City of Fort Wayne, Indiana for its Regular Session, held on Tuesday the 11th day of September, 19 84, that the numbered ordinances and resolutions shown therein were duly adopted by said Common Council on said date and were presented by me to the Mayor of the City of Fort Wayne and were signed and approved or disapproved by said Mayor as and on the dates shown as to each such ordinance and resolution respectively; and that all such records, proceedings, ordinances, and resolutions remain on file and record in my office.

WITNESS my hand and the official seal of the City of Fort Wayne, Indiana, this 14th day of September, 19 84,


SANDRA E. KENNEDY, CITY CLERK